

Before the  
Federal Communications Commission  
Washington, D.C. 20554

In the Matter of	)	
	)	
John W. Ashley d/b/a Ashley Communications	)	File No.: EB-02-TP-105
Owner of Antenna Structure Registration	)	NAL/Acct. No. 200332700014
Number 1038740 in Dover, Florida	)	FRN 0006-1642-89
Plant City, Florida	)	
	)	

**FORFEITURE ORDER**

**Adopted: May 29, 2003****Released: June 2, 2003**

By the Chief, Enforcement Bureau:

1. In this *Forfeiture Order* (“*Order*”), we issue a monetary forfeiture in the amount of ten thousand dollars (\$10,000) to John W. Ashley d/b/a Ashley Communications (“Ashley”), owner of antenna structure number 1038740 in Dover, Florida, for willful violation of Section 17.50 of the Commission’s Rules (“Rules”).<sup>1</sup> The noted violation involves Ashley’s failure to comply with prescribed antenna structure lighting and/or marking requirements.

2. On January 22, 2003, the District Director of the Commission’s Tampa, Florida Field Office (“Tampa Office”) issued a *Notice of Apparent Liability for Forfeiture* (“NAL”) in the amount of \$10,000 to Ashley.<sup>2</sup> Ashley has not filed a response to the NAL. Based on the information before us, we affirm the forfeiture.

3. **ACCORDINGLY, IT IS ORDERED THAT**, pursuant to Section 503(b) of the Communications Act of 1934, as amended (“Act”),<sup>3</sup> and Sections 0.111, 0.311 and 1.80(f)(4) of the Rules,<sup>4</sup> John W. Ashley d/b/a Ashley Communications **IS LIABLE FOR A MONETARY FORFEITURE** in the amount of \$10,000 for willfully violating Section 17.50 of the Rules.

4. Payment of the forfeiture shall be made in the manner provided for in Section 1.80 of the Rules within 30 days of the release of this *Order*. If the forfeiture is not paid within the period specified, the case may be referred to the Department of Justice for collection pursuant to Section 504(a) of the Act.<sup>5</sup> Payment shall be made by mailing a check or similar instrument, payable to the order of the “Federal Communications Commission,” to the Federal Communications Commission, P.O. Box 73482, Chicago, Illinois 60673-7482. The payment should note NAL/Acct. No. 200332700014 and FRN 0006-1642-89. Requests for full payment under an installment plan should be sent to: Chief, Revenue and Receivables Operations Group, 445 12th Street, S.W., Washington, D.C. 20554.<sup>6</sup>

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<sup>1</sup> 47 C.F.R. § 17.50.

<sup>2</sup> *Notice of Apparent Liability for Forfeiture*, NAL/Acct. No. 200332700014 (Enf. Bur., Tampa Office, released January 22, 2003).

<sup>3</sup> 47 U.S.C. § 503(b).

<sup>4</sup> 47 C.F.R. §§ 0.111, 0.311, 1.80(f)(4).

<sup>5</sup> 47 U.S.C. § 504(a).

<sup>6</sup> *See* 47 C.F.R. § 1.1914.

5. **IT IS FURTHER ORDERED THAT** a copy of this *Order* shall be sent by first class mail and certified mail return receipt requested, to John W. Ashley, Ashley Communications, 1301 North Wheeler Street, Plant City, Florida 33466.

**FEDERAL COMMUNICATIONS COMMISSION**

David H. Solomon  
Chief, Enforcement Bureau